

IN RE: Edward Behr
Diane Behr

Debtor(s)

BK. NO. 17-23718 TPA

Edward Behr
Diane Behr

Movants

CHAPTER 13

v.

Related to Document No. 88, 95

CMG Mortgage

Respondents

CONSENT ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the follow Consent Order:

WHEREAS, Movants filed an Expedited Motion to Extend the Automatic Stay, Request for a Finding of Contempt, and Payment of Attorney's Fees and Sanctions on January 21, 2021 (Doc. 88);

WHEREAS, Respondent filed a response on February 1, 2021 (Doc. 95);

WHEREAS, a hearing was held on February 3, 2021 at which the parties advised the Court that they had amicably resolved the matter; and

WHEREAS, this Honorable Court gave the parties until March 3, 2021 to submit a consent order;

WHEREAS, the parties hereby enter into this Consent Order to resolve the Expedited Motion to Extend the Automatic Stay, Request for a Finding of Contempt, and Payment of Attorney's Fees and Sanctions.

AND NOW, it is hereby stipulated by and between the undersigned as follows:

1. Movants Expedited Motion to Extend the Automatic Stay, Request for a Finding of Contempt, and Payment of Attorney's Fees and Sanctions is DENIED.

2. Beginning on October 1, 2020 the Borrower was to pay the sum of \$1,636.28 per month. The total to be paid through and including the February 1, 2021 payment was \$8,181.40 (\$1,636.28 x 5).

3. Parties agree that the Debtors have been making conduit payments to the Trustee and the Trustee has made the following disbursements totaling \$9,743.46 through and including 2/22/2021. Not all of the payments have been received and applied yet; however, the parties agree that the following disbursements have been made by the Trustee:

DATED:	AMOUNT:
9/28/2020	\$953.24
10/26/2020	\$2,319.32
11/24/2020	\$1,636.28
12/21/2020	\$1,636.28
1/25/2021	\$1,636.28*
2/22/2021	\$1,562.06*

4. The 1/25/2021 and 2/22/2021 payments are still appearing on the Trustees' system as un-negotiated. Secured Creditor agrees that these payments have been made by the Trustee and agrees to treat them as if they have been applied. Secured Creditor will reach out to the Chapter 13 Trustee's office if replacement checks need to be issued.

5. After application of the payments from the Trustee, the Debtors are contractually due for the March 1, 2021 payment in the amount of \$1,636.28 with a suspense balance of \$1,562.06.

6. Within 30 days of this Consent Order, Respondent agrees to submit a Uniform Data Form to any credit bureau that it has reported on the subject loan to correct any entries indicating that the loan was delinquent.

7. Secured creditor and debtor will look at the escrow disbursements made since origination of the loan to make sure that sufficient escrow is being paid. If the parties agree that insufficient escrow is being deducted, a Notice of Payment Change will be filed by the Creditor.

8. Respondent shall pay counsel fees in the amount of \$3,000.00 within 14 days of receipt of an executed W-9.

Consented to by:

/s/ Kenneth Steidl

Kenneth Steidl, Esq., PA ID 34965
Steidl & Steinberg
Suite 2830-Gulf Tower, 707 Grant St.
Pittsburgh, PA 15219
Phone: (412) 391-8000
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Attorneys for Debtors

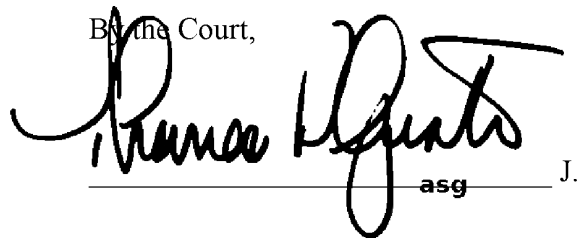
Dated:

/s/ Brian C. Nicholas

Brian C. Nicholas, Esq., PA ID 317240
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: (201-549-5366)
Email: bnicholas@kmlawgroup.com
Attorneys for CMG Mortgage

Dated:

It is hereby ORDERED that the parties' Consent Order be and hereby is APPROVED.

By the Court,


asg J.

In re:
Edward F. Behr
Diane J. Behr
Debtors

Case No. 17-23718-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 03, 2021

User: dpas
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 05, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Edward F. Behr, Diane J. Behr, 608 Village Green Blvd East, Mars, PA 16046-4826

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 05, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 3, 2021 at the address(es) listed below:

Name	Email Address
Brett A. Solomon	on behalf of Creditor Ally Financial brett.solomon@solomon-legal.com
Brian Nicholas	on behalf of Creditor CMG MORTGAGE INC. bnicholas@kmlawgroup.com
Kenneth Steidl	on behalf of Debtor Edward F. Behr julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Kenneth Steidl	on behalf of Joint Debtor Diane J. Behr julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com

District/off: 0315-2

User: dpas

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Date Rcvd: Mar 03, 2021

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Total Noticed: 1

Larry E. Wahlquist

on behalf of U.S. Trustee Office of the United States Trustee larry.e.wahlquist@usdoj.gov

Maria Miksich

on behalf of Creditor CMG MORTGAGE INC. mmiksich@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Rosemary C. Crawford

on behalf of Trustee Rosemary C. Crawford crawfordmcdonald@aol.com PA68@ecfbis.com

TOTAL: 9